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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,427	08/28/2001	John Peterson	07844-485001	7346
21876	7590	02/07/2006	EXAMINER	
FISH & RICHARDSON P.C. P.O. Box 1022 MINNEAPOLIS, MN 55440-1022			ROSARIO, DENNIS	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/941,427

Applicant(s)

PETERSON, JOHN

Examiner

Dennis Rosario

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-20 and 26-30 is/are rejected.
- 7) ☒ Claim(s) 6-10 and 21-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. The amendment was received on November 10, 2005. Claims 1-30 are pending.

***Response to Arguments***

2. Applicant's arguments, see amendment, page 19, 9<sup>th</sup> and 10<sup>th</sup> lines from the bottom, filed 11/10/2005, with respect to the rejection(s) of claim(s) 1, 15, 16 and 30 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Boland (US Patent 6,674,484 B1).

***Drawings***

3. Due to the amendment of the specification the objection to the drawings are withdrawn.

***Specification***

4. Due to the amendment of the specification the objection to the specification is withdrawn.

***Claim Rejections - 35 USC § 112***

5. Due to the amendment the rejection of claims 2, 12, 14, 17 and 27 are withdrawn.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-5, 11-20 and 26-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Boland et al. (US Patent 6,674,484 B1).

Regarding claim 1, Boland et al. discloses a method for shifting a perspective of a composite image (Fig. 7, numerals 710, 720 and 730 is interpreted as a composite image.) derived from a plurality of component images (Fig. 2, labels Va-Vz) including a first image (Fig. 2, label Va) and a second image (Fig. 2, label Vb corresponds to fig. 7, num. 720), the composite image including derived component images (Fig. 7, numerals 710-730) derived from the component images, the derived component images including the first image (Fig. 7, num. 710) as a center of projection and a modified version of the second image (Fig. 7, num. 720), the modified version of the second image having been corrected for perspective distortion relative to the first image (As shown in fig. 7), the method comprising:

a) receiving an instruction to shift the perspective (Fig. 7, num. 750 is an instruction from a user.) of the composite image to make the second image the center of projection (Fig. 7, num. 720 is rotated to the position of fig. 7, num. 710);

b) determining a transformation (via the rotation method of figures 4A-4E) for mapping a set of reference points (Fig. 4B, label X0) in the modified version of the second image (Fig. 4B) to a corresponding set of reference points (Fig. 4A, label X0) in the second image (Fig. 4A when the image of fig. 4B is rotated to the position of fig. 4A, num. 410a); and

c) applying the transform to each of the plurality of derived component images in the composite image to generate the second image and a plurality of modified component images corrected for perspective distortion relative to the second image, each of the modified component images having the second image as their center of projection (As shown in fig. 7 when numeral 720 is rotated to position 710).

Claim 15 are rejected the same as claim 1. Thus, argument similar to that presented above for claim 1 is equally applicable to claim 15.

Claim 16 is rejected the same as claim 1. Thus, argument similar to that presented above for claim 1 is equally applicable to claim 16 except for the limitation of a computer program product as disclosed by Boland et al. in fig. 3.

Claim 30 is rejected the same as claims 15 and 16. Thus, argument similar to that presented above for claims 15 and 16 is equally applicable to claim 30 except for the limitation of:

merge the second image and the plurality of modified component images (or "one or more images...being rendered on the shape's surface (col. 8, lines 60,61)."

Rendering is interpreted as a merging since a plurality of images is rendered on a common surface where each image on the surface is at least touching.) corrected for perspective distortion relative to the second image to form a second composite image that has the second image as its center of projection (As shown in fig. 7 when numeral 720 is rotated to position 710).

Claims 2 and 17 are rejected the same as claim 30. Thus, argument similar to that presented above for claim 30 is equally applicable to claims 2 and 17.

Regarding claim 3, the limitations of claim 3 required a third image in the same environment of claim limitations of the second image (fig. 7,num. 720) and are shown in Boland et al. in fig. 7, num. 730 as the third image in the same environment of claim limitations of the second image.

Regarding claim 4, Boland et al. discloses the method of claim 1, wherein:

a) the reference points in the modified version of the second image include four non-collinear and non-coincident points (fig. 4B, label X0' and the three other corners not labeled) in the modified version of the second image; and

b) the reference points in the second image include four non-collinear and non-coincident points (Fig. 4A, label X0 and the three other corners not labeled) in the second image.

Regarding claims 5 and 11, the limitation of claims 5 and 11 are claiming inherent characteristics of a rectangle or trapezoid as shown in fig. 4A and 4C, respectively.

Regarding claim 12, this limitation is shown from fig. 4B to fig. 4C were a point in fig. 4B, X1 is moved to X1' as shown in fig. 4C and the shape of the modified second image, fig. 4B changes as shown in fig. 4C.

Regarding claim 13, Boland et al. discloses the method of claim 1, wherein:

a) the modified version of the second image has a perimeter forming a trapezoid (Fig. 4C); and

b) transforming the modified version of the second image alters the perimeter of the modified version of the second image to form a rectangle (As shown in fig. 4A, if the image of 4C rotated to the position of fig. 4A).

Regarding claim 14, Boland et al. discloses the method of claim 1, wherein:

a) the instruction to shift perspective is received as a single user input (fig. 2,num. 230); and

b) the determining a transformation and applying the transform are automatically performed in response to the user input (via fig. 2,num. 230).

Claims 18-20 are rejected the same as claims 3-5, respectively. Thus, argument similar to that presented above for claims 19-20 is equally applicable to claims 3-5, respectively.

Claims 26-29 are rejected the same as claims 11-14. Thus, argument similar to that presented above for claims 11-14 is equally applicable to claims 26-29.

***Allowable Subject Matter***

8. Claims 6-10 and 21-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 6 is allowable over the art of record, because Boland et al. does not teach the limitation of a perimeter that defines a set of vertices, Boland et al. shows a vertex as shown in fig. 4A, label X0 but does not define a set of vertices of a perimeter and uses all points including the vertices in general and does not differentiate the vertices from all of the other points in the image nor does Boland et al. suggest any operation specifically for the vertices.



***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Rosario whose telephone number is (571) 272-7397. The examiner can normally be reached on 6-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DR

Dennis Rosario  
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JOSEPH MANCUSO  
SUPERVISORY PATENT EXAMINER